

MINUTES – NOVEMBER 21, 2011

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, November 21, 2011. Members present: Nathaniel Hall, Chairman, Kenneth D. Travis, Vice-Chairman, Erik D. Battle, Jeremiah Jefferies, and Cathy W. Lucas. Absent: William E. Carter and Gordon G. Satterfield. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Chairman Hall stated “Before we get to the approval of the agenda I think we have at least one adjustment.” Commissioner Jefferies stated “Mr. Chairman we need to remove Item 12C. Social Services Board. This position is filled by the state and not by this Board.”

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the Agenda as amended. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Battle to approve the Consent Agenda.

Commissioner Lucas asked “Just a clarification on the Budget Amendment. The salary part of it on the expense side, I know it says under the justifications to transfer from various line items, Item iv, to cover overtime salaries. Does that mean just from the various line items that are listed there like: contract services, uniforms, departmental supplies?” Mr. Howard responded “Yes ma’am. We are pulling the money from the line items that show parenthesis around a number.” Commissioner Lucas continued “So the amount is in part time salaries, \$27,000, for EMS?” Mr. Howard responded “Correct.” Commissioner Lucas asked “And you are appropriating it to the other line items or taking it out?” Mr. Howard responded “We are taking the other line items and putting them into part time salaries.”

Upon a vote of the motion, the motion carried unanimously.

The following items were included on the Consent Agenda:

- A) Approval of Minutes of November 7, 2011 Regular Meeting
- B) Approval of Closed Session Minutes for May 2, 2011, May 16, 2011, June 6, 2011, June 20, 2011, July 11, 2011, July 20, 2011, August 1, 2011, August 1, 2011 (2), August 15, 2011, September 6, 2011, September 19, 2011,

- and November 7, 2011.
- C) Prospect Hill Convenience Center Operation Contract
 - D) Budget Amendment #4

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments. With no public comments Chairman Hall declared Public Comments to be closed.

DETENTION CENTER UPDATE

Mr. Justin Doyne came before the Board and made the following statement:

“Currently site work is continuing through those construction companies that involves their scope of work. They have about $\frac{3}{4}$ of the building pad completed. They are continuing to install the storm water piping and water piping and sewer piping to connect to the new facility. We did run into some unsuitable soils. We already covered that with a change order from the previous meeting. It was 2,047 cu.yds. of unsuitable soils. It was all documented by SM&E, the testing firm. We also ran into some more unsuitable soils that are directly underneath the retaining wall that we built causing the wall to be stopped. We have that documentation in here as well. We will get into that later on in the meeting. Bordeaux Concrete – they are continuing to pour footings. They probably have about $\frac{3}{4}$ of the footing, in the actual detention area, poured. Once they finish that area they will step back and let the MEP contractors come in to do the underground MEPs and then come back and pour the slab on grade which will open that up for all the other trades. The mason actually started work today. He is running all the perimeter walls up around the detention center portion of the jail. I will review all of these once we are finished. I have a brief slide show. HM Kern, which is our general trades contractor, is not on site yet. They are working on submittals. I probably have about 75% of their submittals in. We are still waiting on structural steel. Norment Security, they are finished with the submittal process. All of their submittals have been reviewed and returned to them so they are currently fabricating all the hardware and doors for the job. HM Kern is the fire protection contractor. They are currently working with MEP coordination in getting their drawings approved by the state and local authorities. Comfort Systems, they have started. They have already started running all of their drain waste and vent piping underground. That will give them a jump on everything else and allow the electrical contractor to pick up some time on the job because they will not have to coordinate with the plumbing prime contractor. Indicor, they are not on site yet. They are currently working on MEP coordination with the other MEP trades. Part of the MEP is mechanical, electrical, and plumbing contractors. Morgan Mechanical, they have been on site slightly. They have met with Progress Energy. They have an acceptable plan and route to run their power to the job site for the new facility. They are currently coordinating with the other MEP trades as well to make sure that all of the coordination gets done. Simplex Grinnell, same thing, they are not on site yet. They are currently coordinating MEPs. Project Summary – The Caswell County Law Enforcement Center is moving ahead. Currently the project is an estimated 20 – 25 days behind schedule due to unsuitable materials and 15 – 16 days because of rain. We should be able to catch that back up once that slab on grade gets poured which will open the rest of the building up. I am looking at catching a month up then. Several items have been moved or

added such as power outlets, tele/data jacks, in floor drains were added per the owner. We have discussed that. Some of the rooms just did not have the power and tele/data that was needed for the Sheriff to occupy that facility. We added some tele/data outlets and some power outlets. I have not received any pricing on this yet. As soon as I receive the pricing I will give it to Kevin Howard and he can review that with you all.”

DETENTION CENTER CHANGE ORDER REQUEST

Unsuitable materials have been found under the area of where the retaining wall was to be installed. These soils have been identified by SM&E and could potentially cause the wall to bow, crack or fail. SM&E recommends either removing the unsuitable soils and replacing with structural fill or shoring the wall up with a geo pier or concrete pier. Another option would be to delete the wall in its entirety and to put a slope there. That is the most cost effective way to do it. If you will flip to the next page there is a summary. I finalized the pricing on Friday. Option 1 would be to remove the unsuitable soils which would be a trench of about 10 feet deep, 25 feet wide and they would have to bring all of those soils back in and replace them with structural soils. Then they could proceed to build the wall up. Option 2 would be to delete the wall and to bring in approximately 3,000 cu.yds. of suitable soils and put a slope bank there that we could plant grass or landscape at the end of the project. That total is \$51,077. We also still have a credit from Bordeaux for building that wall of around \$50,000 left so the potential change would be \$1,077 that would come out of contingency. The rest would come from that original credit from Bordeaux which was \$98,000. The next page is just a brief summary of our change orders up-to-date. This does not include the potential change of the slope or the removal of the unsuitable soils. The rest of them are the boring results and tests on the bores that SM&E did on site showing the alluvial soils and the depths that they are at. I would like to ask which way would you prefer, the retaining wall or delete the wall and put a slope there?”

Chairman Hall stated “Before we move forward let’s see if there are any questions from the other commissioners. I want to make one comment Mr. Doyne at our last meeting I asked the county manager and the clerk, Ms. Seamster, not to bring us any other handouts at a meeting. We did not have time to look at this and will not have time to look at it tonight so I am going to ask again for future reports. I think what we may need to do is to schedule some dates right after these projects for you to report back to us. We need to have these reports in writing timely enough that we can review them and digest them in case we have a question. I don’t even know where to start on this report.” Mr. Doyne responded “I did submit the change order summary. I believe it was in the packet.” Chairman Hall stated “I am talking about the full report because the soil test borings and all of that. I don’t know what to ask because I have not read it.” Mr. Doyne responded “I just received this information last Wednesday so I did not have time to put it together and get all the pricing together until Friday which was too late to submit for the meeting.” Chairman Hall stated “I guess my point is if you don’t get it in time then don’t give it to us the night of the meeting that is all I am saying.” Mr. Doyne responded “Okay.”

Commissioner Lucas asked “When did we determine that we had unsuitable soil? What was the date we knew we had that problem?” Mr. Doyne responded “When we discovered the unsuitable soils? We did not know the extent of it until we did these bore results. We requested SM&E to come and do additional testing on the site and that was probably November 8th.” Commissioner

Lucas continued "I have a note from the 7th referencing a meeting held to discuss the unsuitable soils on the north end of the site. My question right now is when we did the preliminary work for this project, which I believe was close to \$500,000, did that not include soil sampling?" Mr. Doyne responded "Yes ma'am it did and there was a geo report that went along with this but none of this was indicated in that geo report. What they did was they did bores under the existing pad where the building is going to go and evidently they did not find these soils present there. They did not bore in the locations of the walls so this was undiscovered." Commissioner Lucas asked "Would it not have made sense to have bored where the wall was going to go?" Mr. Doyne responded "Yes ma'am, it would." Commissioner Lucas asked "Well then who is responsibility was that?" Mr. Doyne responded "It was the owner's responsibility to do the original geo report." Commissioner Lucas stated "That would be us." Mr. Howard responded "Well we hired the firm that did the borings and those borings were based on the information the architect firm gave us."

Commissioner Battle asked "Mr. Doyne why should we do the slope as opposed to doing the retaining wall as originally planned other than the cost of doing the retaining wall?" Mr. Doyne responded "I think the cost outweighs the retaining wall. The benefit of the wall was to save the trees originally. We could not save those trees so I believe the slope would be the most cost effective and that would be the best direction to go now." Commissioner Battle continued "Did we know this before now or were we just going to go with the retaining wall to begin with?" Mr. Doyne asked "If we would have known this before?" Commissioner Battle responded "Right, could we have done the slope as opposed to the retaining wall before now, before this came up?" Mr. Doyne responded "You could have in which case we would have demoed all the trees that we were going to try to save and put the slope in." Commissioner Battle asked "And that was brought up to us or to somebody as far as Caswell County goes, right?" Mr. Doyne responded "I was not involved in that portion of this so I can't answer that."

Commissioner Lucas asked "What is the status of the retaining wall right now? I thought I saw one going up." Mr. Doyne responded "You did." Commissioner Lucas continued "And over the weekend I saw it was gone. So it has now been removed?" Mr. Doyne responded "Yes ma'am. They started on it. They got about midway down with the footers and they were installing a storm drain, a big RPC catch basin that is going to catch all of the water from the parking lot, when they were digging that out they ran into alluvial soils which was about two to four feet thick and about eight or nine feet in the ground. Once they did that, SM&E stopped the work and informed us that they wanted to do testings along the location of the wall to verify the locations of these alluvial soils."

Commissioner Battle asked "And just so moving forward we have all the soil that needs tested moving from this point forward where we are going to be building at?" Mr. Doyne responded "Yes sir. They will continue testing. SM&E will be out here so I am sort of at their beck and call if they say something is not passing, they pretty much sign off on the job when it is over with so they could potentially come back and say this soil right here is not passing we need to remove a little bit more and put some stone in or something." Commissioner Battle continued "How long does it take to test the sample and get the results back?" Mr. Doyne responded "This took about seven or eight days. A lot of the testing they do on site with a rod and they will say

you can get the compression here. These bores I think we done on the 9th and we got it back six or seven days later. These will be the last bores that will have to be taken I can be sure of that.”

Commissioner Lucas asked “Have we already removed the unsuitable soils? We have but not where you are talking about?” Mr. Doyne responded “Yes ma’am. We removed it from the building pad area that we found early on but we have not, this was way down deep, evidently there used to be a pond down there.” Commissioner Lucas asked “Do you know where we purchased the soils that we put in there?” Mr. Doyne responded “No ma’am.” Commissioner Lucas continued “Do you know where we got it from?” Mr. Doyne responded “According to the site contractor up the road on 86.”

Commissioner Jefferies asked “Which is the best scenario?” Mr. Doyne responded “Either one will serve your needs. It is simply there to hold the parking lot up around the perimeter of the jail, the road that goes around the perimeter of the jail. Slope or wall is basically a preference of what you would like to see. Both will do the job adequately.” Commissioner Jefferies continued “And I suppose this is going to be a guarantee that this wall will not crack?” Mr. Doyne responded “Yes sir, if they go in and undercut it. I could not personally guarantee it but if they went in and undercut it we would have suitable soils to build on which would lead to no settlement whatsoever. When it is put in it would be like it was put in on concrete.” Commissioner Jefferies stated “We don’t want you to come back and say there is a big crack in the wall and say well I told you to put the soil in. You pretty well guarantee that this slope will take care of this?” Mr. Doyne responded “Yes, the slope bank will take care of it. SM&E and everybody else has said with putting the slope there we will bridge the alluvial soils that are underneath. That way we do not have to dig down and remove them. It will give us structural bearing for the upper parking that goes above it.”

Commissioner Battle asked “When does this have to be done? What kind of time frame are we looking at?” Mr. Doyne responded “As soon as possible.” Commissioner Battle continued “It holds up the project?” Mr. Doyne responded “Yes it does.” Mr. Howard added “What it is holding up is the entrance way.” Mr. Doyne stated “This was going to be our haul road and by not putting the wall in we can’t use this haul road to get our vehicles and machinery back to the pad.”

Commissioner Jefferies asked “Have you ever put a slope bank in before?” Mr. Doyne responded “Yes sir.” Commissioner Jefferies continued “And it worked perfect?” Mr. Doyne responded “Yes sir. It is a two to one slope. If you go out there now and look at 86 and that slope on that road, this will be like that one but it will not be as steep as that. You will be able to landscape it. It is not going to be a vertical bank so yes it will hold.”

Commissioner Lucas asked “Is there a breakdown on the \$55,000 or the \$110,000 to see how that money is actually expended? How did you come up with that figure?” Mr. Doyne responded “I got estimates from the other contractors. When I do the final change proposal it will all be in there as backup. All of that will be with the final change proposal which will come from the architects.” Mr. Howard added “And the majority of that cost is dirt.” Commissioner Lucas asked “You are talking about the \$55,000 right?” Mr. Howard responded “Yes ma’am.”

Mr. Doyne stated "It is estimated at 3,000 cu.yds. of suitable material at \$10.50/cu.yd. so the majority of it is just in the material." Commissioner Lucas stated "Well that is helpful to know."

Commissioner Jefferies asked "Mr. County Manager have you talked with the engineer about this? I mean are you satisfied with this?" Mr. Howard responded "Yes sir. Like we explained last week the purpose of the wall to begin with was to try to save those large oak trees. Then when we found that we could not do that the slope option is more acceptable now than it was at that time. My recommendation would be to go with the slope which is the lower cost of the two. We can come back later and landscape that slope possibly as part of the project or later on. We can beautify it in that way."

Commissioner Jefferies moved, seconded by Commissioner Travis to accept Option #2 to leave the unsuitable material in place and to install a slope bank at a two to one ratio not to exceed \$51,077. The motion carried by a vote of four to one with Commissioner Lucas voting no.

EMS VEHICLE PURCHASE

Mr. Jeff Sicz, EMS Director, stated "Good evening ladies and gentlemen. I am here to present three options for EMS to buy a new vehicle. Currently we are driving a Chevy Impala, 1995, with 185,000 miles on it. It seriously needs to be replaced. The three options are as follows: I have checked out cars from the State Highway Patrol. We could basically get a Crown Vic for under \$10,000 with no warranty but we all realize that the State Highway Patrol does take care of their cars. Their maintenance checks are routine. A car is nice and we will look good in it but it is not functional in bad weather. Most emergencies occur in bad weather so a four wheel drive vehicle, a vehicle that could tow our hazmat trailer, our air trailer, our decon trailer seems relatively important to me. Option 2 – we checked out CarMax. They have various vehicles: Liberty Sports, Grand Cherokees, Explorers, Equinox, and Trail Blazers for somewhere under \$15,000 and below. Functional however they are used and CarMax only offers a 30 day warranty on these vehicles, 5 day money back guarantee. Another option at that price range would be somewhere around \$15,000 for a State Highway Patrol Tahoe or a four wheel drive vehicle of that nature. And the final option and I really did not think this was conceivable but I will present it to you anyway is we can get roughly a brand new vehicle. Three options are: Jeep Liberty with all the towing package that will provide us all the towing capabilities and four wheel drive that we need for about \$18,500. A Tahoe and these are acquired from the State Fleet sales or State Surplus, roughly for \$25,500 or an Expedition roughly for \$28,000. My understanding is that it is very hard to find a Tahoe that is four wheel drive. I believe Wildlife has some but to find one I am not certain. So to summarize and to put them in some sort of priority if I may. A car would be under \$10,000 and like I said it would be a State Highway Patrol Crown Vic. It would serve our purpose 85% of the time but it is not functional as far as towing and in bad weather. A used car from CarMax will be functional and meet our towing capabilities however it is a used car. Then the new vehicles from State Surplus would be functional and have the 100,000 mile, 5 year warranty and all that goes along with that. Obviously I would love to have a new car but I would certainly settle for a used four wheel drive vehicle that would meet our needs."

Commissioner Jefferies asked “Why do we have to have a Crown Victoria or a state trooper car with the price of gas now? Why not a Toyota or a small Chevrolet that gets good gas mileage rather than a big automobile? This is something that you are going to drive right?” Mr. Sicz responded “Yes sir but to answer your question we need a sufficient amount of room to store emergency materials in it. It is going to function also as what we call a QRV, a quick response vehicle, and so it will have to carry the necessary monitors and emergency equipment that we carry in the back of a car. I don’t mean this disrespectfully or viciously, my Mazda 3 works fine but it is really limited to space. A car other than a Crown Vic, one that has sufficient gas mileage would be excellent however again no towing capabilities, no abilities in bad weather and that is where I see the most need for one. I don’t have any desire to have a car simply to have a car. I desire a vehicle to be functional when it is needed.”

Chairman Hall asked “What are we currently using?” Mr. Sicz responded “We have our Impala sir with 185,000 miles and our Ford F250.” Chairman Hall continued “Are you towing with the Impala?” Mr. Sicz responded “No sir, my personal opinion it is not even safe to drive and I am not being vicious, it has been in a little fender bender and the side door panel is falling off. It functions but that is about it.” Chairman Hall stated “I was not questioning the car. The problem I am having is with the size of the vehicle like Mr. Jefferies. I am trying to figure out what will best serve the county’s needs before we move forward.”

Commissioner Lucas asked “So we are currently using the Impala for what purpose?” Mr. Sicz responded “The Impala is used for a quick response vehicle. It is used for transportation in situations where we have an emergency when I need to go one way and Mr. Lynch needs to go another way. It is functional as a car but that is simply it.” Commissioner Lucas continued “So it is used for basic transportation.” Mr. Sicz responded “Basic transportation, yes ma’am.” Commissioner Lucas asked “So it is not set up for a quick response vehicle?” Mr. Sicz responded “Yes ma’am, it is.”

Chairman Hall asked “How many full size vehicles do we have in this department?” Mr. Sicz responded “We have the ambulances, the one pickup truck and the Impala that is it sir. And if I may another consideration as I said we have a decontamination trailer, we have an air trailer and we have a disaster response trailer. It is quite feasible to have a need for all three of those at a major event.”

Chairman Hall stated “If I remember what is in our package Mr. Manager and Ms. Seamster unless I missed something, that only thing in here talks about a Crown Vic.” Mr. Howard responded “Right. This is not for taking action on this evening. This is for you to think about it and what the needs are.” Chairman Hall continued “Well I am going to repeat again for Mr. Sicz, getting up information or bringing us something the night of the meeting does not give us time to deal with it. We got information on the Crown Vic. You gave us three other options that caught me completely off guard. I think, Mr. Manager, what I would like to see is Mr. Sicz mentioned three different functions that a vehicle would serve: towing, towing hazmat, quick response, I would ask that you all get together and look at a vehicle that will do that and then get it into our packets so that we can look at it. Also on the things that he mentioned, what is in his budget? The information in the agenda says we have \$5,000 for a vehicle.” Mr. Howard responded “What this is the EMPG funds that are reoccurring every year based on emergency

management. This would be an emergency management vehicle and this fund would go towards that.” Chairman Hall responded “That is fine but I still want to know how much money we are talking about. Again, I would like to see you all get together and put together a package. I want to hear that it will tow. I want to know what it is capable of doing so we can get the size vehicle that we need. Do we need a F150 or F250 or F350 or whatever but we did not have any information on it.”

Commissioner Jefferies moved, seconded by Commissioner Travis to table this until the Board can get all the information that is needed.

Commissioner Lucas asked “How much money is available through the Emergency Management grant?” Mr. Howard responded “Right now we have \$5,000 to put towards it. We get those funds every year.” Commissioner Lucas asked “Are we required to match those?” Mr. Howard responded “No.” Mr. Barry Lynch added “We get two parts of the EMPG grant every year. One part goes to subsidize salaries for emergency management. This part would go into the general fund. The second part goes in solely for emergency management. The way we get these funds is we have to perform at least 6 delivery projects and we get reimbursed for those. Last year it was right at \$14,000 and it should be around that figure this year. We are a year behind on receiving these funds. We will get our money in April for what we did last year. It is all based on what projects we got done. There is a possibility of getting between \$12,000 to \$14,000 every year. Currently I think we have around \$19,520 in the EM budget but take into consideration that is what we have to use to do the projects for this upcoming year so we can get reimbursed the following year.”

Chairman Hall stated “That is why it is important to receive a full packet of information so that we will know specifics. You know we will ask where the money is coming from. Do you have it now or in the future? We just need to have all the information at one time.” Mr. Sicz responded “Yes sir.”

Upon a vote of the motion, the motion carried unanimously.

Mr. Sicz stated “If I may give a real quick update on the remount and the PMI or PMS system. The remount is going fine on the first vehicle. It should be done by January. We are getting tentative plans and getting figures for the Board for the second remount. The PMI system has really been productive. On one of the vehicles we found a radiator hose, the underside of the radiator hose was deteriorating and we replaced that. The second vehicle we found something much more important, a brake line was chaffing and probably would have ruptured so the PMI system is definitely proving its worth right now.”

TAX EXEMPTION STATUS WITH TAX OFFICE Agricultural Exemption

Chairman Hall stated “You have a letter from the tax director regarding this request. This came up as a result of a letter that I received from the citizen. I guess the question is, do we precede further and talk with the citizen and do we have enough information in our packet that we received from the tax office.”

Commissioner Jefferies stated “Mr. Chairman I read through this thoroughly and I support the tax office. I read it and I agree with the tax office and I have to support the tax office.”

Chairman Hall stated “The letter was not an appeal. I want to make sure that we get all the information. I will just follow up with the tax office. Are there any other questions about this?”

Commissioner Lucas stated “We have the appeal process through the Board of Equalization & Review. If this person wants to address this that would be a good time to do it.” Chairman Hall responded “That is what I was going to suggest.”

Commissioner Travis stated “If they don’t appeal it, it looks like to me it should go back to the tax director.” Chairman Hall responded “If there is an appeal, I am not sure if this is all of the information. We would have to look at it objectively based on what is presented. At this point I will talk with the citizen and let her know to follow that process. The tax office can let her know what that process is.”

DISCUSSION ON POLICIES AND PROCEDURES FOR TAX DEPARTMENT

Chairman Hall stated “At the last meeting we had this on the agenda and everybody was supposed to get their information to Ms. Seamster. Who responded?” Commissioner Jefferies responded “I don’t have a problem with them.” Chairman Hall continued “It seems that we are not ready again.”

Commissioner Lucas stated “The one concern that I have heard raised by the Board is how the vehicle tax is collected. That has been raised several times since I have been back on the Board. I don’t know how much of an issue it is.” Chairman Hall responded “We have not received a summary on vehicle taxes for about eight or nine months. Last spring I asked for a printout on what was delinquent by years. This is what we will do, I will put it on about the vehicle tax and there are some other observations that I have made over the years and I will call everyone this time Ms. Seamster.”

WASTE, FRAUD, & ABUSE POLICY

Chairman Hall stated “Mr. Manager I recall at the last meeting or prior to the meeting I asked you to share this with staff. Did you do that?” Mr. Howard responded “Yes sir, we did. We got a couple of comments on it. The Health Department had the most comments but Dr. Moore is out on FMLA so I could not get with Dr. Moore on the comments he had on it. He sent his comments in about two or three weeks ago.” Chairman Hall asked “Did you share those comments with this Board in the packet?” Mr. Howard responded “No sir I did not. I should have but I wanted to talk to him to get more information. He is out on FMLA, he had ankle surgery.” Chairman Hall stated “If he is out on leave, we don’t know when he will be back.” Mr. Howard responded “It should be the first part of December.” Chairman Hall stated “What I want us to do, the whole rationale is to get input so the Board can look at it and say yes this makes good sense or no this does not make good sense. Can you get us everybody’s comments by the next meeting?” Mr. Howard responded “Yes sir.”

ETHICS POLICY

Chairman Hall stated "Ms. Seamster can you explain this."

Ms. Seamster stated the Ethics Policy in the packet is straight from the Personnel Policy that new employees receive when hired. This will be given to the new employees when they are hired to let them know that they are held accountable for this. This will be a part of their employee package.

Chairman Hall stated "In addition what I am suggesting is that all employees sign this. It will part of the package for the new employees. This board will give a date once we accept this and all employees will sign this. Did we combine any other information in this policy Ms. Seamster or is it just from the Personnel Policy?" Ms. Seamster responded "The Waste, Fraud and Abuse Policy briefly touches on it."

Commissioner Battle asked "Is it a good idea to put a paragraph F, like a blanket statement, to say if I did not do A through E and I did something else not included in A through E then my argument is well I signed it but I did not do A through E I did something else therefore you can't hold me liable." Chairman Hall asked "Give me an example." Commissioner Battle continued "That is something that the attorney can add like 'it is up to the discretion of the county manager or something to review all situations that are not defined in paragraphs A through E.' Something of a blanket statement that is what I am saying. You don't want people taking it literally." Chairman Hall stated "That is either in here or in the other one, a sentence that states if there is a question to consult with the department head or county manager. I understand what you are saying. Mr. Attorney knowing that ethics is subjective and we want to do the best we can for the county as Mr. Battle said how can we word that so that we can get an F on this?" Mr. Ferrell stated "I certainly understand the point of a catch all and the limitations of language is not going to be able to explain every situation that may give rise to an ethical issue. Take a look at the final paragraph this comes from your existing Personnel Policy and it does some of what you are talking about Commissioner Battle maybe it does not go as far as you would like for it to go. 'The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Employees of Caswell County and to assist in the determination of what conduct is appropriate in particular cases.' It is not a substitute for law so any legal violation would also be an ethical violation or the best judgment of an employee. I don't think it addresses exactly what you talking about but it gets to the notion that this is not just it. When you are talking about ethics you still have to use good judgment I can work on that more if you would like but that is the idea I think that you are trying to express is to try to capture the catch all in this final paragraph. It may not be what you like but it is an attempt of what you are talking about." Commissioner Battle stated "If you feel that it stands then I am fine with that. I just want to make sure that the document itself stands. Hopefully nobody would try it like that but in case someone does we can say even if we did not spell it out for you we did tell you." Mr. Ferrell responded "Again these are general ethical principles. I doubt that we would be able to capture every situation. I do believe that final paragraph would put you on notice that there is no substitute for using you best judgment."

Chairman Hall stated "I suspect Mr. Battle that sooner or later that something will come up and I know it will be subjective but it does not take the place of good judgment. I hope what this will do is to get our employees to think before they take certain actions. That would be a giant step I think. With that said what I would like for us to do is to go ahead and approve this so we can get started and start getting this out. The other thing I think Mr. Battle is routinely on county policies and procedures we should probably look at them annually to see if they need updates. If Ms. Seamster you will make a note sometime next year to have a look at what we have so we will have a general view the policies and procedures to see if they are up to date."

Commissioner Jefferies asked "Can we have an orientation day for new employees when they are hired? This way the new employee will know the policies and procedures for the county." Chairman Hall responded "We should have that but I am going to ask the county manager." Mr. Howard stated "When employees are hired they will have all of this information in a packet for them." Chairman Hall stated "I think the question was, do they have an orientation?" Mr. Howard responded "Not like we used to." Chairman Hall stated "In fairness to the county manager we do not have a personnel officer or a HR officer or anyone designated to do this. I recognize that it makes good business sense if we could do it."

Chairman Hall stated "Mr. Manager understanding what I just said it still does not excuse us from not doing it. I am going to ask you to come back to us with a way that ensures that all staff does have an orientation. We will not always have the resources we need to have things done but that does not excuse us from not doing some things."

Commissioner Jefferies moved, seconded by Commissioner Battle to approve the Ethics Policy.

Commissioner Lucas asked "Commissioner Carter, Travis and myself sit through a Code of Ethics training last week, the code of ethics that the Board needed to adopt is this separate and apart from that?" Chairman Hall responded "Yes." Commissioner Lucas continued "So this is added to that code. This is a sign off sheet for the employees." Chairman Hall responded "We did one for the commissioners."

Upon a vote of the motion, the motion carried unanimously.

Commissioner Lucas asked "Can we back up to the Waste, Fraud and Abuse Policy? What exactly are we looking for? Is it comments from employees related to this?" Chairman Hall responded "I asked the manager to do that. We want to establish a policy. Here again it will not be a catch all but it will be a start. I asked the manager to share this with employees. They may have some ideas that will help and they may suggest something that will be good."

APPOINTMENTS TO BOARDS AND COMMISSIONS

Planning Board

Commissioner Battle moved, seconded by Commissioner Travis to appoint Rachel Smith to the Planning Board. The motion carried by a vote of four to one with Commissioner Jefferies voting no.

Recreation Commission

Commissioner Battle moved, seconded by Commissioner Jefferies to appoint James Pointer to the Recreation Commission. The motion carried unanimously.

COMMISSIONER MEETING DATES

Town of Yanceyville

Chairman Hall stated "We still need to get some dates out to them."

The Clerk to the Board stated that the new council member will be sworn in on December 6th so she recommended meeting with the Town of Yanceyville after that date.

Chairman Hall stated "Let's get our dates to Ms. Seamster for after December 6th."

Personnel Hearing Date

Chairman Hall stated "We have an employee who has requested a personnel hearing. The employee will be represented by counsel. Initially they wanted to be on the agenda for tonight's meeting but I did not think that was a good idea for the employee or for this Board because it could go on for several hours. After several attempts I reached the attorney and what I have from the attorney is four other dates for us to consider. They will be November 29th or 30th or December 7th or 8th. All of these I told the attorney would be held after 6:00 p.m. Of those four dates which one would work with your schedules?" All the commissioners agreed to November 29th at 6:00 p.m. Chairman Hall stated "I will communicate back with counsel that it will be the 29th of November."

BOARD OF ELECTIONS

Chairman Hall stated "I have Commissioner Carter's name there because at the last meeting Commissioner Carter expressed an interest in reviewing or revising or reconsidering his vote on the Board of Elections move and I told him at that point that I would put it on the next agenda. Mr. Carter is not here tonight is there anybody who would like to speak on his behalf?"

RESOLUTION FOR REDISTRICTING

Mr. Ferrell stated "Mr. Chairman back before you again this evening is a familiar resolution regarding the redistricting for Caswell County. We have talked about the need for such a resolution for some time now. There have been various versions of proposed maps considered by this Board. Placed before you the last set was an untimely handout prior to the last meeting so we have included the most recent set of maps that appear as B and C, if you will, in your materials tonight. These were an attempt to address the public comments by two commissioners in particular regarding the drawing of the district lines. We also asked for additional comments at the last meeting if anybody had any particular concerns about the maps to contact the clerk or the manager or myself. I personally have received no additional comments. I assume there have

not been any additional comments that I am aware of. Therefore what you have is the same thing that was placed before you although late prior to the last meeting. You have all of the plans that we have previously considered, of course, which are options for you. The ones in your packet tonight are the ones most recently drawn.”

Chairman Hall asked “For clarification, Plan A is the most recent plan that came before this Board and no action was taken, is that correct?” Mr. Ferrell responded “Yes, Plan A was the first plan put together by the Southern Coalition for Social Justice. Plan A was the first one you had seen. You have seen that one for at least a month or so now. Plans B and C are the newest maps.” Chairman Hall continued “Plan B was made from comments and concerns from Mr. Carter and Mr. Travis?” Mr. Ferrell responded “That is correct. Mr. Carter made the comment about portions of southern Yanceyville would be no longer in his district under Plan A. He had concerns about that. Mr. Travis mentioned in the public meeting that Prospect Hill had been removed from his district according to the Plan A. Plans B and C are attempts to address both of those concerns.”

Chairman Hall asked “Mr. Carter is not here. Mr. Travis do you have any questions on B and C?” Commissioner Travis responded “Well I looked at this thing and there are a lot of roads that have been taken out of the district that were in my district for years and years. I realized that we have to change some things to change it. One concern I have is the School Board voted on one thing and if we vote on something else how is that going to work?” Chairman Hall stated “If I recall the initial meeting with the School Board their comment to us was ‘if you all vote on something different let us know’. Is that not what they said?” Mr. Ferrell responded “That is my recollection. My recollection also is they voted on a plan that was before them and before you that night as well and they approved that plan. But it is a process issue, it sure does make it a lot easier on election officials if the two boards have the same districts but it is not required but it sure does make a lot of sense administratively. I do have a recollection that they said if this Board passes something different they wanted to know about it.” Chairman Hall stated “They gave me the impression that they would revisit it if we voted on something different.” Mr. Ferrell responded “My sense is because of the administrative difficulties of having two separate districts they would at least take a look at it.”

Commissioner Travis stated “I did not understand it that way. I understood them to say this is what we are going to do and ya’ll can do what you want to do. The plan they voted on is the plan we are already on with no changes whatsoever.” Mr. Ferrell responded “That is not true. That map does change the districts from what you currently have.” Chairman Hall added “If I recall I think the changes had to do with the removal of the Dan River Work Farm from the numbers in District 3.” Mr. Ferrell responded “Again that is a population counting exercise which is distinguished between what the lines look like. There should be no mistake that the plan of the School Board adopted is a change from what is currently in place. It is not the same thing that you have now.” Commissioner Travis asked “Are you saying the A here is not the same A they voted on?” Mr. Ferrell responded “No, it is not. The Plan A that you see here is not the Plan A that the School Board adopted.” Commissioner Travis continued “What you are saying is there were some changes made to that plan from what we already had.” Mr. Ferrell responded “Yes, the plan that the School Board adopted, that plan had changes to it as compared to the existing districts now.” Commissioner Travis stated “But it was very small changes.” Mr.

Ferrell responded "I believe they were minimal changes done just to equalize population. I think that was the intent of that plan. But I don't know if you look at a line by line breakdown at this point I don't know if it is minimal or not. It is not the same plan you have now in any case. That is the point I am trying to make."

Commissioner Lucas asked "Considering the fact that we have two commissioners absent tonight and I know that time is of the essence and since we already have a meeting scheduled for next Tuesday night would it be feasible to hold off taking a vote until Tuesday night?"

Commissioner Jefferies moved to accept Plan A. The motion died due to a lack of a second.

Chairman Hall stated "We did not get a second. I will go back to respond to Ms. Lucas' comment. We are running out of time. We started talking about this sometime in the middle of June. The agenda went out. The commissioners that are not here chose not to be here. I think for the commissioners that are present the issue is whether or not you are ready to vote. That is the real issue. At some point we need to vote. The Justice Department has told us as they have told everyone they need at least 60 days. If we take action tonight we will be real close to 60 days to be ready by February and when you consider two holidays in there I don't know. We will not have 60 working days. I think we are at the point that we need to make a decision. We need to vote and move on. I think that staff did an admirable job to address the concerns from the last meeting and then only specific concerns were made by only two commissioners, as I recall. They tried to address those specific concerns."

Commissioner Travis asked "Say one of these plans is voted in, these people that are being taken out of my district and put into another district, where will they vote at?" Mr. Ferrell responded "The answer is, I don't know. The Board of Elections handles the voting precincts. The idea would be that there would be no split in precincts, if you will, under this plan but the Board of Elections ultimately makes those decisions." Chairman Hall added "Let me tell you what I have found out Mr. Travis. I had a discussion with the Board of Elections and I had to think back to some of our earlier discussions from May and June and certainly with the School Board and I made a comment that I found to be incorrect. The Board of Elections told me that precincts do not change as you stated Mr. Travis. The people will still vote in the same precincts. The Board of Elections has to develop a ballot based on where the person lives. The answer to your question is they will vote in the same place based on this information and you said that. I was wrong." Commissioner Travis stated "That is what they did when they took those people on Cherry Grove Road and put them in District 5. They still voted right here but their vote counted in District 5. That is why I argue all the time that you should be able to vote at any precinct in this county. People should not have to drive 20 miles when they have a poll right next to them to vote. So in other words what you are saying is the people who will move from District 5 to District 2 will still vote in Anderson?" Chairman Hall responded "They will still vote where they have always voted at based on what the Board of Elections told me."

Commissioner Lucas asked "And again, Chairman Hall if we take a vote tonight and it is different from what was originally approved by the School Board how is that going to affect the election process?" Chairman Hall responded "Two things can happen. We can communicate to the School Board whatever we decide. The School Board can either decide to follow the lines of

the commissioners or they can decide to have their own lines. They have that option.” Commissioner Travis added “And that will be confusing. You told the right answer. It can either go one way or the other.”

Chairman Hall asked “Any other questions or comments? Here is what I am going to suggest, I think that Plan B addressed the issues that Mr. Travis raised and what Mr. Carter raised.”

Chairman Hall moved, seconded by Commissioner Jefferies to approve the resolution with the Adjusted Plan B attached.

Commissioner Lucas asked “Chairman Hall when you say that staff did a good job of putting the numbers and everything together, how much involvement did staff actually have with this or did we depend on the group from Durham?” Mr. Ferrell responded “The county manager and I had a telephone conference. I had an office meeting with the staff person that works up the maps following the most recent commissioners meeting, well the two meetings back when the particular concerns were expressed. I had a conference about those particular concerns and a response to that with these new maps were put before you. We have been in correspondence on several occasions including one office visit to my office.” Commissioner Lucas asked “Was the group paid or are they non-profit? Nobody paid them to do the work?” Mr. Ferrell responded “No, they are interested in voting rights issues across the state of North Carolina and multiple statewide levels and local levels and they offer their computer assistance in cases like these. They have a lot of expertise in drawing maps and that type of thing. They also get involved in, just to be clear, they get involved in litigation regarding voting rights issues and redistricting issues. They are active in that arena as well.”

Upon a vote of the motion, the motion carried by a vote of three to two with Commissioners Lucas and Travis voting no.

CASWELL COUNTY
BOARD OF COUNTY COMMISSIONERS

Excerpt of Minutes
of Meeting of
November 21, 2011

A regular meeting of the Board of County Commissioners for Caswell County, North Carolina, was held in the Board of County Commissioners Meeting Room, Historic Courthouse, 144 Courthouse Square, Yanceyville, North Carolina, at 6:30 p.m. on November 21, 2011.

Present: Nathaniel Hall, Kenneth D. Travis, Erik D. Battle, Jeremiah Jefferies, and Cathy Lucas.

Absent: William E. Carter and Gordon G. Satterfield.

* * * * *

Commissioner Hall introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

**RESOLUTION FINDING THAT THERE IS SUBSTANTIAL
INEQUALITY OF POPULATION AMONG ELECTORAL DISTRICTS &
REDEFINING ELECTORAL DISTRICTS**

WHEREAS, the Caswell County Board of Commissioners (the “Board of Commissioners”) is made up of seven (7) members; and

WHEREAS, for purposes of nominating and electing members of the Board of Commissioners, Caswell County (the “County”) is divided into five districts (collectively the “Districts”); and

WHEREAS, one member of the Board of Commissioners is elected from each district, and two from the County at large; and

WHEREAS, pursuant to Article I, Section II of the United States Constitution, the United States Census Bureau conducted the decennial census for the year 2010 (the “2010 Census”); and

WHEREAS, the 2010 Census data is reported in Public Law 94-171 (the “Census Data”); and

WHEREAS, The Board of Commissioners has reviewed the Census Data concerning the total population of the County and the total number of persons residing within each of the Districts; and

WHEREAS, following its review of the Census Data, the Board of Commissioners has determined that there is a substantial inequality of population among the Districts; and

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-22, the County is authorized to redefine the Districts if it finds that there is a substantial inequality of population among the Districts; and

WHEREAS, the Board of Commissioners considered the issue of redistricting at its regular meetings held on March 7, 2011, May 16, 2011, July 11, 2011, September 6, 2011, September 19, 2011, October 17, 2011, November 7, 2011 and November 21, 2011; and

WHEREAS, the Board of Commissioners conducted a public hearing on August 1, 2011 to solicit public input on proposed redistricting plans; and

WHEREAS, the electoral district boundaries for the Caswell County School Board (the “School Board”) are currently the same for both the School Board and the Board of Commissioners; and

WHEREAS, the Board of Commissioners and the School Board held a joint meeting on September 27, 2011 to discuss proposed redistricting plans; and

WHEREAS, the County desires to redefine the boundaries of the current Districts based on the Census Data after receiving substantial input from members of the public and the School Board; and

WHEREAS, the Board of Commissioners is committed to honoring the purpose and intent of that certain Final Judgment filed on August 4, 1989 in Case File Numbers C-86-676-G

and C-86-708-G in the United States District Court For the Middle District of North Carolina Greensboro Division by assuring African American citizens in Caswell County have an equal opportunity with other citizens to participate in the political process and elect representatives of their choice; and

WHEREAS, the County is subject to the preclearance requirements of Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973C.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners as follows:

Section 1. The Board of Commissioners hereby find as a matter of fact that there is substantial inequality of population among the Districts as presently drawn.

Section 2. The Board of Commissioners hereby redefine the boundaries of the Districts according to the boundaries shown on the 2011 Caswell County Voting District Map attached hereto as Exhibit A which such exhibit is incorporated herein by reference.

Section 3. The Board of Commissioner seats which are to be filed at the initial election held under this resolution are as follows: District 3, District 4, and two (2) at large.

Section 4. Pursuant to N.C. Gen. Stat. § 153A-22, not later than ten (10) days after the day on which this Resolution becomes effective, the Clerk is hereby directed to file a certified copy of this Resolution with the following persons or offices: the Secretary of State's Office, the office of the Caswell County Register of Deeds, and the Chairman of the County Board of Elections.

Section 5. Pursuant to N.C. Gen. Stat. § 120-30.9E, the County Attorney is hereby directed to submit a copy of this Resolution and any and all necessary preclearance submissions to the Attorney General of the United States.

Section 6. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Nathaniel Hall, Erik D. Battle and Jeremiah Jefferies

Noes: Kenneth D. Travis and Cathy Lucas

* * * * *

I, Paula P. Seamster, Clerk to the Board of Commissioners for the County of Caswell, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on November 21, 2011 as relates to the passage of the resolution described therein and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the corporate seal of said County, this 21st day of November, 2011.

S/Paula P. Seamster
Clerk to the Board of Commissioners

BEACON TOWERS LAND LEASE PROPOSAL UPSET BID STATUS

Mr. Ferrell stated “I would just ask the Clerk if any upset bids were received on that lease proposal?” The clerk responded that no upset bids were received. Mr. Ferrell continued “With that Mr. Chair, the resolution is self-executing and deemed approved. No upset bids were received and staff will move forward with preparing the documents for execution by the appropriate officials.”

COUNTY MANAGER’S REPORT

County Project Updates Pelham Water Tank

Mr. Howard stated “The Pelham Water Tank is in the painting stage. It is due to be completed in early January.”

Tennis Courts

Mr. Howard stated “They came out and did the process that the Board approved at the last meeting. There is still an issue with one section. There is a lot of clay in it. It is not drying out the way they would like for it to. They came back today and looked at it and I have not talked with the contractor as of this afternoon on what they propose to do to correct that. There concern is if they put the asphalt down, there will be moisture underneath there and it will cause issues in the future.”

Commissioner Travis asked “Are they having trouble with all of them or just one?” Mr. Howard responded “It is just one area.” Commissioner Travis continued “It was in the Caswell Messenger that they were having trouble with it.” Mr. Howard responded “My understanding from talking with Ashley and going out there is it is probably one court that is affected out of the six.” Commissioner Travis stated “Well what I think we need to do is to work on the ones that is good and let the other one sit until the weather gets right to do that area. I hope that is what they are doing. If not, they are wasting money trying to pack it when it is wet.” Mr. Howard responded “That is something that I can discuss with the contractor to see if that is a possibility. The issue would be if you do that now you would have to leave one unpaved.” Commissioner Travis stated “Well if it is not going to hold up and it is not going to work we would do better off without the paving on it.”

Chairman Hall stated “Let me see if I can clarify this. We do not need to do anything in bad weather that won’t hold up like Mr. Travis said.” Mr. Howard responded “We have no plan to do that.” Chairman Hall continued “The number of the courts does not really matter. If the contractor says this piece of land is not going to make it then we have to make some type of professional business decision not to move forward. I don’t think this is something that we need to discuss with anybody other than the contractor.”

Mr. Howard stated “I want to make sure that I am understanding what you are saying. Are you saying to hold off on paving entirely until the weather permits or reduce the number of courts?”

Commissioner Travis responded "This is what I am saying. If you have one place over there and just like Mr. Hall said that is not suitable right now to be paved we don't need to try to patch it and make it worse if we can wait two or three months until the weather is right and it works right. We need to spend this money one time and be done with it." Mr. Howard stated "That would be my intention, yes sir." Commissioner Travis stated "I am not saying we have to go over there tomorrow and say we have to stop this project. You know if it is right or if it is wrong. They want to make money and I understand that." Mr. Howard stated "I guess what I am getting at is you are willing to wait two or three months to finish the paving of it." Commissioner Travis responded "If it takes that to make it right the first time, yes. I am just one person you have these other people sitting here." Commissioner Jefferies stated "I am in agreement with you."

Commissioner Battle asked "Is it the back right hand corner?" Mr. Howard responded "Yes sir." Commissioner Battle continued "So we don't know why it is like this?" Mr. Howard responded "Of the whole court that was the worst area to begin with. It has an extensive amount of clay. When they first took it up the other parts of the court had parts of the asphalt and gravel but this section only had clay. It holds water and it does not dry out. I don't know this but my guess is that they are concerned that it will even hold water once the asphalt is put down. It may be the situation that this has to be taken out anyway. They were going to go by there today but I was not able to talk with them this afternoon." Commissioner Battle asked "So because it has clay it is just this particular spot?" Mr. Howard responded "Right, everywhere else has a good base." Commissioner Battle continued "So has the option been brought up to dig this clay out?" Mr. Howard responded "They were going to look at it this afternoon to see if it had dried out from the rain we had last week. My understanding is that it did not do what they wanted it to do but they have not given us an option yet. It was not as dry as they thought it should be." Commissioner Battle stated "So basically it is going to be this way until the clay goes away. I mean realistically unless you take the clay out, you are going to have this problem with that particular area." Mr. Howard responded "That is possible. If they feel comfortable with guaranteeing it the soil will still be there."

Commissioner Lucas asked "On the budget amendment that we did tonight it came to \$78,870 for tennis court reconstruction costs and the School Board made a commitment to half, is that correct?" Mr. Howard responded "They made a commitment to half of the initial cost." Commissioner Lucas continued "But I also questioned when we extended the additional \$27,872 if that included the commitment from the School Board." Mr. Howard responded "My understanding was no. Their agreement was to the first \$50,000 and then they would look at it for the rest of it." Commissioner Lucas asked "They initially said half?" Mr. Howard responded "Half after we got the grant funds. We have \$10,000 in grant funds." Commissioner Lucas asked "Have we received their half?" Mr. Howard responded "No, we have not made a request for it yet."

Chairman Hall stated "Please talk with the engineers, the contractors or whoever we need to talk to. If the Board needs to make a decision based on the clay soil out there to reduce the number of tennis courts or to delay this we need to know that early on." Mr. Howard responded "My plans are to have those options for you at the next commissioners' meeting."

Land Use Plan Update

Mr. Howard stated “We talked with the young lady with the Division of Community Assistance that was helping us. She is not on schedule to have anything to us anytime soon. Apparently during the budget cut this summer they lost two or three positions in her office. What I have asked is for her to give us a time frame of what they can do with the staff that they currently have and where we sit based on other projects. Are we first in line, second in line or third in line so we can bring this back to the Board to decide whether to continue with this route which seems to be taking way too long or whether you want to hire a consulting firm to come and do this for us. This route was chosen because it was free. They only charge us to come up here for meetings and mileage.”

Chairman Hall stated “I would think that we would want to do a couple of things. Every time we have to bring something back to the Board it kicks us out another two weeks. At the next meeting try to have some answers from the Division of Community Assistance and also have us some options, plans B and C. It does not have to be exact but if there is going to be a cost we need to know roughly what it will cost so that the Board will have an idea on which way to go.”

School of Government Workshop

Mr. Howard stated “I brought this to your attention to see if you were interested in attending. It is something new on zoning and planning to make better decisions. It is a workshop that helps elected officials on the thought process you go through in planning and doing zoning type issues. I did not know if you would want to attend that. If you would like to just let us know so we can set that up. This will be in Chapel Hill on February 17th.”

Privilege License

Mr. Howard stated “There is information in your packet on what counties can charge for. We hope to bring you a draft policy in December to approve. I think the idea was to have a plan in place by January 1. We will collect these once a year. We will have this in place by January 1 and we will start collecting them until the end of the fiscal year. It will be due again January 1 of next year for the next fiscal year.”

Commissioner Battle asked “And then January 1 every year after that?” Mr. Howard responded “Yes sir. One thing we can charge for, back when we first talked about this there were very few things counties could charge for as compared to municipalities, one of those is internet sweepstakes. Those usually have pretty high fees on those.”

Chairman Hall stated “That could be short term. We want a policy for the long term. We made this decision during the budget process. The reason I asked for an update is because we should be almost at the implementation point now because one of the things that we got out of the training is there are certain things that the county can and cannot do. I had hoped that by this point that the tax director, the finance officer, you and whoever else needed to be involved would have gotten that down to the point that we would be ready to go January 1. Now we are not

ready to go because you are hoping to bring us something back to the next meeting.” Mr. Howard responded “We are hoping to have you something within the next couple of meetings.”

ANNOUNCEMENTS

The clerk made the following announcements:

The Christmas Parade will be held on December 3rd at 10:00 a.m.

The Senior Center Christmas Concert will be held on December 4th at 4:30 p.m. at the Historic Courthouse.

Employee Appreciation Luncheon will be held on December 5th at 12:00 p.m. at the Civic Center

The JCPC Luncheon will be held on December 7th at 12:30 as the Central Caswell Ruritan.

Chairman Hall announced that the personnel hearing would be held at an alternative location for privacy reason.

CLOSED SESSION

Commissioner Jefferies moved, seconded by Commissioner Battle that the Board enter into Closed Session to consider the compensation, terms of appointment and performance of an individual public officer (NCGS 143-318.11(a)(6)). The motion carried unanimously.

REGULAR SESSION

Commissioner Battle moved, seconded by Commissioner Travis to resume regular session. The motion carried unanimously.

Chairman Hall asked about EMS training and how their salary was being handled while they were in training. Commissioner Travis stated that a former EMS employee came to see him. It was his understanding from the employee that the county paid for his schooling but once he finished his training the county did not have a position for him as a paramedic. Now this employee is working for another county. Mr. Howard informed the Board that he would have to look into this. He was not aware that the county paid for EMS classes. Commissioner Lucas stated that she understood that there were two more employees just like this one. Chairman Hall asked Mr. Howard to find out if the county paid for this employee’s schooling. Commissioner Travis asked if he was encouraged to go to school to get a better job in the county. Mr. Howard informed the Board that he would get with the EMS director to get their questions answered and he would get back with them at the next meeting.

The clerk read a thank you card from Dianne Moorefield thanking the commissioners and administrative staff for the flowers that were sent to her Dad’s funeral.

ADJOURNMENT

At 8:30 p.m. Commissioner Jefferies moved, seconded by Commissioner Battle to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
